



10043714 - GAU: 2628

2611/11/04

PATENT APPLICATION

UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BENTOLILA et al.

Appl. No.: 10/043,714

June 7, 2004

Filed: January 9, 2002

Irvine, California

For: SYSTEM, METHOD, AND SOFTWARE
APPLICATION FOR TARGETED
ADVERTISING VIA BEHAVIORAL
MODEL CLUSTERING, AND
PREFERENCE PROGRAMMING BASED
ON BEHAVIORAL MODEL CLUSTER

RECEIVED

JUN 17 2004

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies

06/16/2004 LHONDIN1 00000077 10043714

01 FC:1806

180.00 DP

BEST AVAILABLE COPY

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HAN

Appl. No. 10/043,714

III. CONCISE EXPLANATION OF THE RELEVANCEa. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☒ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

FEESIV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

Appl. No. 10/043,714

- V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☒ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
b. ☐ See the statement below. No fee is required.

- VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

3 BEST AVAILABLE COPY

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HAN

Appl. No. 10/043,714

VII. PAYMENT OF FEES

- ☒ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 01-1960.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 01-1960 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

MYERS DAWES ANDRAS & SHERMAN LLP

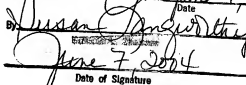
By 

Kenneth L. Sherman, Reg. No. 33,783
19900 MacArthur Blvd., Ste. 1150
Irvine, CA 92612
(949) 223-9600

KLS/sml

- Attachment(s):
- ☒ PTO-1449
 - ☒ Documents
 - ☒ Foreign Search Report
 - ☒ Fee
 - ☐ Other:

I hereby certify that this correspondence is being deposited with the United States Postal Service, first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20230, on June 7, 2004

By 
Date of Signature June 7, 2004

BEST AVAILABLE COPY

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HAN/

ATTY DOCKET NO.
MET2.PAU.25

APPLICATION NO.
10/043.714

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

APPLICANT
BENTOLILA et al.

FILING DATE
January 9, 2002

GROUP

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER	/Hoang Vu Nguyen Ba/	DATE CONSIDERED 07/07/2008
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

KLS / gml

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /HAN/